THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No. 5584 of 1997

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Dated: 25.01.2006

Between:

J. Saibabu, S/o Chinna Chenchaiah,
H.No. 3-379/5A, Chender Vari Veedhi, Neaar II Town Police

Station, Nawabpet, Nelloore-2

..... PETITIONER

AND

1 The Asst. Mechanical Engineer (Tyre) A.P.S.R.T.C.
O/o Works Manager, Zonal Workshop,
Nellore and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No. 5584 of 1997

Order:

This writ petition is filed seeking a Writ of Mandamus declaring the selection of Vulcanisers, vide Office Order No.E2/255(8)/96-WM(N), dated 03.12.1996 ignoring the claim of the petitioner, as illegal and arbitrary, and for consequential direction to respondents to promote the petitioner as Vulcaniser with all consequential benefits.

The case of the petitioner, in brief, is that he was appointed as Khalasi in the respondent-Corporation on 15.10.1992 and pursuant to the notification dated

03.07.1996, calling for the applications for filling up of the posts of six Vulcanisers, he applied for the same and attended the trade test conducted on 20.07.1996. The grievance of the petitioner is that though he performed well in the said test, the respondent-Corporation has not considered his candidature for the said post. Hence, the writ petition.

A counter affidavit is filed by the respondent-Corporation denying the allegations of the petitioner, *inter alia*, stating that pursuant to the permission accorded by the Executive Director, Nellore, to fill up the vacancies of six vulcanisers by conducting trade test to the Khalasis of TRS/Nellore, a trade test was conducted on 20.07.1996, and that the petitioner, who appeared for the said test, failed the same. Thus, his case was not considered by the Selection Committee for the post of Vulcaniser Grade-II.

Heard the learned counsel for the petitioner and the learned Standing Counsel for respondent-Corporation.

The main case of the petitioner is that though he performed well in the trade test conducted on 20.07.1996, the respondent-Corporation has not considered his candidature for the post of Vulcaniser. But, a perusal of the counter averments clearly indicates that the petitioner failed in the trade test conducted on 20.07.1996, and therefore, the Selection Committee has not considered his case for the post of Vulcaniser Grade-II. In that view of the matter, no exception can be taken to the action of the respondent-Corporation in not considering the candidature of the petitioner for the post of Vulcaniser.

The writ petition is devoid of merits and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 25.01.2006

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